

REMARKS

Claims 2-3 and 5-6 are currently pending in the application, of which claims 2-3 are independent claims.

Entry of the Remarks is respectfully requested because entry places the present application in condition for allowance. In view of the following Remarks, Applicant respectfully requests reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

Rejections Under 35 U.S.C. §103

Claims 2-3 and 5-6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,534,202 issued to Sato, *et al.* ("*Sato*") in view of U.S. Patent No. 6,194,119 issued to Wolk, *et al.* ("*Wolk*"). Applicant respectfully traverses this rejection for at least the following reasons.

Applicants respectfully note that the primary reference, *Sato*, does not qualify as proper prior art. In particular, *Sato* was filed in the United States on October 2, 2001. In contrast, the effective filing date of the present application is October 17, 2000, when the Japanese Application No. 2000-317165 was filed, of which priority the present application claims. A certified translation of the priority application is enclosed herewith. All of the Examiner's rejections rely on *Sato* for their combinations. Accordingly, the Examiner's rejections are deficient with regard to those elements alleged to be provided by *Sato*.

With regard to independent claim 2 and dependent claim 5, the Examiner's rejection is moot because one of the references cited is not proper prior art. As a result, no combination of

references teaches all the elements of claim 2. (By implication, no combination teaches all the elements of claim 5, because claim 5 contains all the elements of claim 2.) Accordingly, claims 2 and 5 are patentable over the references of record.

With regard to independent claim 3 and dependent claim 6, the Examiner's rejection is deficient because of reliance on an improper reference, as explained above. Additionally, the Examiner has not provided any indication of how the combination teaches all the elements of the claim.

Accordingly, Applicant respectfully requests withdrawal of the 35 U.S.C. §103(a) rejection of claims 2-3 and 5-6. Since none of the other prior art of record, whether taken alone or in any combination, discloses or suggests all the features of the claimed invention, Applicant respectfully submits that independent claims 2-3, and all the claims that depend from them are allowable.


CONCLUSION

Applicant believes that a full and complete response has been made to the pending Office Action and respectfully submits that all of the stated objections and grounds for rejection have been overcome or rendered moot. Accordingly, Applicant respectfully submits that all pending claims are allowable and that the application is in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the Applicant's undersigned representative at the number below to expedite prosecution.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,


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